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09/752,219	12/29/2000	Shlomi Harif	AUS9000876US1	9078

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DAFFER MCDANEIL LLP  
P.O. BOX 684908  
AUSTIN, TX 78768

EXAMINER

PATEL, ASHOKKUMAR B

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 12/08/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/752,219

Applicant(s)

HARIF, SHLOMI

Examiner

Ashok B. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/11/01.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Application Number 09/752, 219 was filed on 12/29/2000. Claims 1-30 are subject to examination.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim. The network in its essence, regardless of its kind, comprises "a network of computational devices", otherwise is not (and will not be) called a "network".

4. Claim 3 rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. The omitted elements are: the definition of the phrase "the heterogeneous network is absent information sent thereacross for maintaining secure access thereto." It is unclear what is being disclosed in this limitation, and also the specification does not define this limitation. Essentially, the network does not and, is not required to perform any "limitations" but it requires the elements that it incorporates to do so. For the purpose of this office action, Examiner interprets this limitation as at least one of the network is an unsecured network, i.e. the internet.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-17 and 20-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Simon (US 5, 768, 385).

**Referring to claim 1,**

The reference teaches a **system** for enabling processing over a heterogeneous computer network (col.5, lines 15-29), said system comprising a financial resolution center (Fig. 6, element 30) adapted to receive a source identification data packet over the network from a network client (col. 5, lines 60 through col.6 line 4, lines 37-41), wherein the source identification data packet describes a task for which process execution is requested by the client (col.8, lines 12-24), and the financial resolution center is adapted to provide a task identity to the client before presenting a payload from the network client (col.7, lines 61 through col.8, lines 11), wherein the task identity is indicative of the suitability of the task for process execution. (col.8, lines 16-21).

**Referring to claim 2,**

The reference teaches the system as recited in claim 1, wherein the heterogeneous network comprises a network of computational devices (col.5, lines 15-29).

**Referring to claim 3,**

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The reference teaches the system as recited in claim 1, wherein the heterogeneous network is absent information sent thereacross for maintaining secure access thereto (col.5, lines 15-29).

**Referring to claim 4,**

The reference teaches the system as recited in claim 2, wherein the network of computational devices comprises a network of multiple operating platforms (col.5, lines 15-29).

**Referring to claim 5,**

The reference teaches the system as recited in claim 1, wherein the system further comprises the network client. (Fig.6, element 10)

**Referring to claim 6,**

The reference teaches the system as recited in claim 1, wherein the source identification data packet comprises: an identification data set relating to the identity of the network client; and a request data set relating to the task. (col. 8, lines 12-22)

**Referring to claim 7,**

The reference teaches the system as recited in claim 6, wherein the identification data set comprises: a client identification data set; and a requester identification data set (col.5, lines 59 through col.6, line 4), wherein the requestor is a user of the client (Fig. 6 and Fig. 7, element 10)

**Referring to claim 8,**

The reference teaches the system as recited in claim 6, wherein the request data set comprises: a credit request data set relating to an estimated budget for the task (col.6,

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lines 37-39); and a resource request data set related to the estimated resources for the task. (col. 8, lines 12-22).

**Referring to claim 9,**

The reference teaches the system as recited in claim 6, wherein the request data set further comprises a criteria data set relating to the task (col.8, line 58-60).

**Referring to claim 10,**

The reference teaches the system as recited in claim 8, wherein a task identity comprises a financial charging authorization identity, wherein the financial charging authorization identity is uniquely identified with a resource request data set related to the estimated resources for the task (Figs 6 and 7, element 30).

**Referring to claim 11,**

The reference teaches the system as recited in claim 10, wherein the task identity corresponds to an authentication key, wherein the authentication key is uniquely identified with the resource request data set (col.8, lines 65 through col.9, line 15).

**Referring to claims 12 and 20,**

The reference teaches the system as recited in claim 10, wherein the financial charging authorization identity comprises: a credit limit data set related to the credit available to the task (col.8, lines 12-14, First, "Customer 10 supplies an x.sub.2 for a valid coin of a specific amount to Bank 30, along with a public signature key p of Vendor 20, and other information relating to the transaction."); and a client credit data set related to the credit history of the client and, wherein the client credit data set comprises: a client credit

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index related to the client's payment history; and a credit authentication key to allow access to purchasing data associated with the client (col.6, lines 59-67).

**Referring to claim 13,**

The reference teaches the system as recited in claim 11, wherein the authentication key is void upon the termination of the task (col.6, lines 32-41, col.6, lines 59-67)

**Referring to claim 14,**

The reference teaches the system as recited in claim 11, wherein the authentication key comprises a PKI key pair. (col.6, lines 9-41).

**Referring to claims 15, 16 and 17,**

The reference teaches the system as recited in claim 1, wherein the financial resolution center comprises a computational device, and wherein the financial resolution center comprises a processor, a storage device, an evaluation program, and a task identity creation program, and wherein the evaluation program is adapted to analyze the contents of the source ID packet. (Figs. 6,7 and col. 8, lines 12-24)

**Referring to claim 21,**

The reference teaches the system as recited in claim 1, wherein the client associated with the task identity is known only to the financial resolution center and the client. (col.6, line 44-45, col.4, lines 34-52).

**Referring to claim 22,**

The reference teaches a method of enabling processing over a heterogeneous computer network (col.5, lines 15-29), said method comprising:

receiving a source identification data packet from a network client (col.5, line 60 through col.6, line 4, lines 37-41) wherein the source identification data packet describes a task for which process execution is requested by the client (col.8, lines 12-24)

evaluating the source identification data packet; and providing a task identity to the network client prior to the network client forwarding data over the network to a network server, wherein the task identity is adapted to indicate suitability of the task for process execution over the network. (col.7, lines 61 through col. 8, line 11, lines 16-21).

**Referring to claim 23,**

The reference teaches the method as recited in claim 22, further comprising maintaining confidentiality as to the identity of the network client associated with the task identifier. (col.6, lines 9-41, col. 6, line 44-45).

**Referring to claim 24,**

The reference teaches the method as recited in claim 22, wherein receiving a source identification data packet comprises: receiving a client identification data set; receiving a credit request data set relating to an estimated budget for the task; and receiving a resource request data set related to the estimated resources for the task. (col.8, lines 12-22, col.5, lines 59 through col. 6, line 4, col. 6, line 37-64)

**Referring to claim 25,**

The reference teaches the method as recited in claim 24, wherein evaluating the source identification data packet comprises: validating a client identified by the client identification data set included in the source identification data packet; and verifying the



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availability of the credit requested by the credit request data set included in the source identification data packet. (col.6, lines 44-67)

**Referring to claim 26,**

The reference teaches the method as recited in claim 22, wherein providing a task identity to the network client comprises: providing a financial charging authorization identity, wherein the financial charging authorization identity is uniquely identified with the task described by the source identification packet (Fig. 6 and 7, element 30); and providing a task authentication key wherein the authentication key is uniquely identified with the task described by the source identification packet. (col.8, lines 65 through col. 9, line 15).

**Referring to claims 27 and 28,**

The reference teaches the method as recited in claim 26, wherein providing the financial charging authorization identity comprises: providing a credit limit data set related to the credit available to the task (col.8, lines 12-14, First, "Customer 10 supplies an x.sub.2 for a valid coin of a specific amount to Bank 30, along with a public signature key p of Vendor 20, and other information relating to the transaction."); and providing a client credit data set related to the credit history of the client, wherein providing the client credit data set comprises: providing a client credit index related to the client's payment history; providing a client credit authentication key to allow access to purchasing data associated with the client.(col.6, lines 59-67).

**Referring to claim 29,**

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Claim 29 is a claim to a computer usable carrier medium that carries out the method steps of claim 22. Therefore claim 29 is rejected for the reasons set forth for claim 22.

**Referring to claim 30,**

Claim 30 is a claim to a computer usable carrier medium wherein the task identity comprises a unique task authentication key (col.8, lines 65 through col.9, line 15).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Simon (US 5, 768, 385) in view of Harford et al. (hereinafter Harford) (US 2004/0210513 A1)

**Referring to claims 18 and 19,**

Keeping in mind the teachings of the reference Simon, although the reference teaches the heterogeneous network wherein anonymity between the communicating entities can be maintained ((col.6, line 44-45, col.4, lines 34-52 (wherein the client and host remain anonymous to one another.)), the reference fails to teach wherein the network further comprises a network host adapted to process a task defined by the request data set, and wherein the network further comprises a network server adapted to enable the network client and the network host to negotiate a price for the process execution

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related to the task. The reference Harford teaches "Described is a system and method that satisfies offers from customers with quotes from suppliers in a way that increases the likelihood of achieving an acceptable match. The system of the present invention is configured to receive from a customer an offer for a product. The system queries in parallel multiple suppliers for rate quotes on the desired product. Each of the suppliers is ranked according to the lowest rate quoted by each supplier. The supplier quoting the lowest rate is selected as the winner of the offer. The system may then evaluate any other rate quotes provided by the winning provider. The system may satisfy the customer's offer with the winning provider at a higher rate (if one was provided) than the winning rate quoted, up to the customer's offer (perhaps adjusted for a reasonable profit). In this way, even though the provider provides low rate quotes to win the offer, the provider may still realize a much higher rate for the goods or services by quoting additional, higher rate quotes as well." (Abstract). The reference also teaches "At step 1915, the travel server 224 attempts negotiate the purchase of the product, in this example attempts to book the accommodations with the booking system 203 at the selected rate." Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to enhance the system of Simon by adding Harford's a server (network server) such that the prices for a task can be negotiated. This system improves over existing electronic exchanges in that the first supplier quoting a satisfactory rate is not necessarily the one selected. Rather, the lowest of multiple potential suppliers is selected. Plus, the consumer may be benefited as well by this incentive to the suppliers to provide at least one low rate as taught by Harford.

***Conclusion***

***Examiner's note:*** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (571) 272-3972. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abp  
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JOHN FOLLANSBEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100